

FISCAL NOTE

SB 1054 - HB 1151

March 10, 2001

SUMMARY OF BILL: Redefines victim for the purpose of sexual offenses to include defendant's spouse. Prohibits party to a divorce or custody proceeding from alleging the charge of rape against other party unless there has been a conviction for the offense. Deletes offenses of spousal rape, aggravated spousal rape, and spousal sexual battery.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$154,900/Incarceration*

Assumes

- one spousal rape conviction (Class C felony) will be elevated to aggravated rape conviction (Class A felony) every three years;
- two aggravated spousal rape convictions (Class B felony) will be elevated to aggravated rape (Class A felony) every three years;
- one spousal sexual battery conviction (Class D felony) will be elevated to aggravated sexual battery (Class B felony) every three years.

**Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated for operating cost, in current dollars, shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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